

REMARKS

Upon entry of the present amendment, claims 1 and 9 will have been amended. In view of the herein contained remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection set forth in the present application together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner rejected claims 7 and 9 under 35 U.S.C. § 112, second paragraph. The Examiner asserted that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner noted language in claim 9 that he deemed to be indefinite.

By the present Response, Applicants have amended claim 1 to provide clear antecedent basis for the features recited therein. The Examiner is thanked for his suggestion in this regard.

In view of the herein contained amendment to claim 9, it is respectfully submitted that the rejection of claims 7 and 9 under 35 U.S.C. § 112, second paragraph has been overcome. An indication to such effect is respectfully requested in due course.

In the outstanding Official Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 103(a) as unpatentable over FUKUSHIMA et al. in view of WATANABE generally for the reasons of record.

Applicants claim 1 recites preparing molding dies for forming a cavity to form the complex lens as an integrally molded single piece element. This is clearly distinct from the disclosure of FUKUSHIMA et al. which discloses that the complex element is formed by the use of a previously fabricated plastic lens holding frame 3 and through holes into which molding material is injected, where only the cores 6 and 7 are provided as mold surfaces. The lens of FUKUSHIMA et al. has a plurality of rod lenses 16 which are fabricated individually. Thus, the lens of FUKUSHIMA is not “integrally molded”.

In direct contrast, Applicants claim 1 recites “preparing molding dies for forming a cavity to form said complex lens as an integrally molded single piece element”. Applicants claim 1 further recites that the molding dies have first and second single-piece mirror surface cores such that “each of the first and second single-piece mirror surface cores having a plurality of surface portions, the plurality of surface portions of the first single-piece mirror surface core respectively forming a plurality of lens surfaces at an incident side, the plurality of surface portions of the second single-piece mirror surface core respectively forming a plurality of lens surfaces at an exit side”. It is respectfully submitted that the combination of references recited by the Examiner does not teach the above-noted combination of features

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and accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims pending in the present application, in due course.

In the outstanding Official Action, the Examiner asserted that no weight has been attached to the term “unitarily” because it means no more than “that the cores and lenses are single piece elements”. Applicants respectfully submit that the Examiner is incorrect, but nevertheless have revised the claim language to recite “integrally molded” which is clearly different than “single piece” and is also clearly different than FUKUSHIMA. Thus, for this reason alone, Applicants submit that the Examiner's rejection is inappropriate and respectfully request reconsideration thereof together with an indication of the allowability of all the claims pending in the present application.

Applicants again note that FUKUSHIMA et al. does not disclose integrally molding the complex lens as a single piece element. In particular, as explicitly set forth in FUKUSHIMA et al. the lens elements are molded individually. Moreover, as can be seen with respect to claim 1 of FUKUSHIMA et al., each of the rod lenses 16 is provided by an individual inner core element. In this regard, Applicants note that claim 1 of FUKUSHIMA et al. recites “mounting a plurality of inner core elements to one of said mold parts, each inner core element having a mirror finished lens forming surface defined thereon”. Accordingly, each of the inner core elements has a single mirror finished lens forming

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surface thereon and a plurality of such cores are mounted to one of the mold parts to provide the plurality of lens surfaces.

The Examiner combines WATANABE with FUKUSHIMA et al. However, even the combination of WATANABE and FUKUSHIMA et al. cannot result in the combination of features recited in Applicants claim. In this regard, Applicants note that WATANABE is directed to a laser optical apparatus wherein each of the lens elements 6 are adjustable with respect to one another. Accordingly, WATANABE can provide no teaching or motivation to make the lens elements of FUKUSHIMA et al. as a single piece element. WATANABE discloses, in the paragraph beginning on column 3, line 3, that each of the cylindrical lenses are individually adjusted and then bonded to one another with an appropriate bonding agent. Thus, WATANABE clearly teaches directly away from Applicants invention.

In the outstanding Official Action, the Examiner asserts that WATANABE and FUKUSHIMA et al. are properly combinable. While this may very well be true, even if combined as proposed, the combination of reference does not disclose or teach the combination of features recited in Applicants claim 1.

Applicants note with appreciation the Examiner's indication that claims 7 and 9 would be allowable if rewritten into independent form to overcome the rejections under 35 U.S.C. § 112, second paragraph and to include all the limitations of the base claim and any intervening claims. However, because of the above-noted reasons by which claim 1 clearly

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defines over the references cited by the Examiner, Applicants respectfully decline to rewrite claims 7 and 9 into independent form at the present time.

In view of each of the above-noted reasons, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims pending herein, in due course.

Applicants note that the status of the present application is after Final Rejection but submit that entry of the herein contained amendment is appropriate and proper in accordance with the provisions of 37 C.F.R. § 1.116. In this regard, amending claim 9 to eliminate an Examiner-noted indefiniteness does not give rise to any new issues requiring further consideration or search. Rather, the present amendment clearly places the application in condition for allowance and is thus appropriate for entry.

Further, the amendment to claim 1 merely serves to clarify the claim features in light of the Examiner's comments and thus cannot constitute a new issue.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Applicants have amended one claim to clarify the recitations thereof and another claim to eliminate a basis for the rejection thereof under 35 U.S.C. § 112, second paragraph. Applicants have further discussed the references cited by the Examiner and have pointed out the shortcomings thereof with respect to Applicants claims. Applicants have discussed the recitations of the claims and have noted the deficiencies of the references with respect thereto. Applicants have discussed the combination of references and have pointed out that the secondary reference does not overcome the shortcomings of the primary reference and that the secondary reference, in fact, teaches away from Applicants invention.

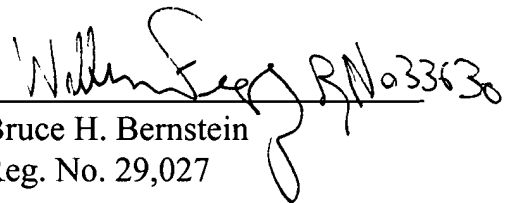
Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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